IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.2785 OF 2007

Ramchandra Bajirao Sonawane ..Applicant

vs

The State of Maharashtra.. Respondent

Mr.K.S.Patil for Applicant

Mr.Rajesh More A.P.P.for Respondent

CORAM : V.C.DAGA, J

DATED : 31ST AUGUST, 2007

P.C.

1. Heard learned counsel for the applicant and the learned A.P.P.

2. The applicant is seeking bail in connection with C.R.No.8/2007 registered with Mahad Taluka police station, District Raigad for offences punishable under section 302, 365, 362, 504, 504 r/w 34 IPC upon a complaint lodged by one Ashok Babu Vinherkar dated 7th March, 2007.

3. The prosecution case is as under :

It is alleged that on 6.3.2007 the complainant visited his native plalce along with his cousin brother Shantaram and other relatives. It is alleged that on 7.3.2007 complainant his brother Mahesh and his family members and Shantaram were travelling back to Bombay. At about 3 p.m. they reached Karanjande Railway station in a vikram Rickshaw. They alighted at the S.T.stand and were proceeding towards the railway station. It is

alleged that on their way to the railway station a white Tata Sumo came near them and two persons alighted from the said Sumo. It is alleged that the said two persons who were alighted from the Sumo forced Shantaram to sit in the Sumo and thereafter they all fled away in the said Sumo. On these allegations initially offence were registered under section 365,362, 504, 506 r/w 34 of IPC.

4. The applicant appears to have been implicated on the basis of the statement made by the co-accused when the co-accused was in police custody. The said statement would not be admissible in evidence. At this stage, there is no other material other than what is referred to therein. In this view of the matter, the applicant is entitled to be enlarged on bail in the sum of Rs.25,000/- with one or two sureties in the like amount on the following terms and conditions :

(a) The applicant arrested in connection with C.R.No.8/2007 of Mahad Taluka police station shall be enlarged on bail in the sum of Rs.25,000/- with one or two local sureties to make up the said amount.

(b) The applicant shall report to Mahad Taluka police station once in a week i.e. on every Monday between 3.00 to 5.00 p.m. till conclusion of the trial.

(c) The order of bail will be given effect only after the applicant furnishes to the investigating officer the details about his place of residence and address where he proposes to stay after he is enlarged on bail. The applicant will not change his residential address thereafter till the conclusion of trial without prior intimation to the investigating officer.

(d) The applicant shall not directly or indirectly make any inducement or threat or pressurise any prosecution witnesses and

shall not in any manner tamper with the prosecution evidence.

(e) The applicant shall co-operate with the investigating agency for disposal of the case. It is needless to mention that breach of any of the conditions by the applicant shall result in cancellation of bail.

(f) Any observations made in this order shall not be construed as finding or expression on merits of the case at the time of trial.

Application stands disposed of accordingly.

JUDGE